



United States
Department of
Agriculture

MAY 10 2000

Food and
Nutrition
Service

3101 Park
Center Drive

Alexandria, VA
22302-1500

SUBJECT: WIC Farmers' Market Nutrition Program (FMNP)
Final Policy Memorandum # 2000-2
Nondiscrimination Statement for FMNP Materials

TO: Regional Directors
Supplemental Food Programs
All Regions

The purpose of this policy memorandum is to transmit the latest directive from the Department of Agriculture regarding the appropriate nondiscrimination statement to use on FMNP materials (see attached documents). The authorized statement reads as follows:

"In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability.

**To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call (202) 720-5964 (voice and TDD).
USDA is an equal opportunity provider and employer."**

If the material is too small to permit the full statement to be included, the material will at a minimum include the statement, in print size no smaller than the text, that **"This institution is an equal opportunity provider."**

In order to avoid waste of current materials, FMNP State and local agencies may deplete current supplies. However, all new materials must include one of the above nondiscrimination statements.

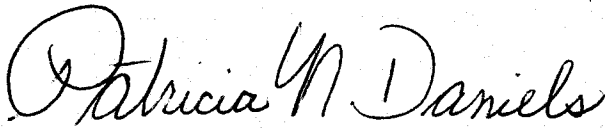
A civil rights statement is not required to be imprinted on items such as cups, buttons, magnets, and pens that identify the FMNP, when the size or configuration make it impractical. In addition, recognizing that radio and television public service announcements are generally short in duration, the nondiscrimination statement does not have to be read in its entirety. Rather, a statement such as **"The FMNP is an equal opportunity provider"** is sufficient to meet the nondiscrimination requirement.

Regional Directors

2

Finally, materials that strictly provide a nutrition education message with no mention of the FMNP are not required to contain the nondiscrimination statement.

Please provide your FMNP State agencies with this information.



PATRICIA N. DANIELS

Director

Supplemental Food Programs Division

2657

Attachments



United States
Department of
Agriculture

Food and
Nutrition
Service

FEB 7 2000

3101 Park
Center Drive
Alexandria, VA
22302-1500

SUBJECT: Departmental Regulation (DR) 4300-3 Public Notification Policy

TO: Regional Administrators

Staff Directors

Deputy Administrators

Attached is a corrected copy of Departmental Regulation (DR) 4300-3, Public Notification Policy, dated November 16, 1999. DR 4300-3 provides for three nondiscrimination statements.

The first statement is for use by all USDA offices (Federally-conducted programs).

Federally-conducted programs are defined as: Solitary (one time) or continuing decisions, efforts, procedures, and practices of a USDA agency, corporation, committees, or other instrumentality for the purpose of, that result in, or that otherwise contribute to the availability or delivery of services, benefits, or resources for the use, enjoyment, or consumption by a member or members of the public. Examples of Federally-conducted programs include Regional Office Assisted Programs (ROAP), meetings, training, teleconferences, etc.

This statement is to be posted in all USDA offices and included, in full, on all materials produced by USDA and its agencies for public information, public education, or public distribution, except when the appropriate nondiscrimination statement applicable to recipients is distributed by USDA agencies or posted by recipients. This statement specifically lists all the prohibited bases for discrimination in the USDA Civil Rights Policy Statement. The statement shall be in English and in languages appropriate to the local population, and in alternative means of communication (Braille, large print, audiotape, etc.)

USDA's nondiscrimination statement:

"The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, sexual orientation, or marital or family status.

(Not all bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer."

If the material is too small to permit the full statement to be included, the material will at a minimum include the statement, in print size no smaller than the text, that "The USDA is an equal opportunity provider and employer."

The second statement is for Food Stamp Program recipient agencies, and the third is for Special Nutrition Programs and other USDA programs.

Federally-assisted programs and activities are defined as: Includes but is not limited to money paid; rental or use of Federal property at below-market value; gift of Federal property; asset forfeiture funds; Federal training; loan of Federal personnel, subsidies and other arrangements with the intent of providing assistance. Federal financial assistance does not include contract or guarantee or insurance, regulated programs, licenses, procurement contracts at market value, or programs that provide direct benefits.

This statement is to be posted by Food Stamp Program recipient agencies and contains only those bases referred to in applicable Federal law. The statement is to be included, in full, on all materials regarding the recipients' programs that are produced by the recipients for public information, public education, or public distribution.

"In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, religion, political beliefs, or disability.

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer."

The third statement is for Special Nutrition Programs and other recipient agencies and is to be included, in full, on all materials regarding such recipients' programs that are produced by the recipients for public information, public education, or public distribution.

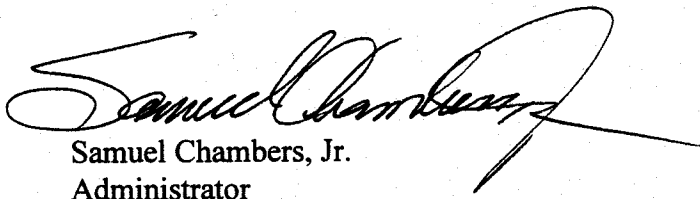
"In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability.

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer."

If the material is too small to permit the full statement to be included, the material will at a minimum include the statement, in print size no smaller than the text, that "This institution is an equal opportunity provider."

In general, the USDA poster, "And Justice For All" will be used for this purpose except for suitable substitutes in outdoor areas, where necessary. Units will post the nondiscrimination statement in languages appropriate to the local population. Agencies will be responsible for obtaining and distributing appropriate posters to recipients, and ensuring that the nondiscrimination statement is posted in languages appropriate to the local population.

I hope the corrected DR 4300-3 clarifies the current civil rights policy requirements for use of the USDA nondiscrimination statements for USDA and its recipient agencies. If you have any questions, or need additional information, please call Ms. Gloria McColl, of my staff, at (703) 305-2213.



Samuel Chambers, Jr.
Administrator

Attachment